

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ASUSTEK COMPUTER INC. AND  
ASUS COMPUTER INTERNATIONAL,

Plaintiffs,

v.

ROUND ROCK RESEARCH, LLC,  
AMERICAN MEGATRENDS INC.,  
SAMSUNG ELECTRONICS CO., LTD.,

Defendants.

Case No. 3:12-cv-02099-JST

**DECLARATION OF BRIAN CHOU IN  
SUPPORT OF MOTION TO QUASH  
DEPOSITION SUBPOENA TO NON-  
PARTY PIXART IMAGING (U.S.A.), INC.**

DATE: November 6, 2013  
TIME: 1:00 p.m.  
COURTROOM: A, 15<sup>th</sup> Floor  
JUDGE: Hon. Nathaniel Cousins

I, Brian Chou, declare as follows:

1. I am the Office Manager of PixArt Imaging (U.S.A.), Inc. I have been asked to provide the following declaration in support of PixArt Imaging (U.S.A.), Inc.'s motion to quash the Deposition Subpoena that was served upon the company on or about September 12, 2013.

My testimony herein is based on my own personal knowledge and/or information that I have learned through discussions with others at PixArt Imaging (U.S.A.), Inc. or PixArt Imaging, Inc.

2. PixArt Imaging (U.S.A.), Inc. is a wholly-owned subsidiary of PixArt International (Samoa) Ltd., which in turn is wholly owned by PixArt Imaging Inc., and is located at 3028 Oakmead Village Ct., Santa Clara, CA 95051. PixArt Imaging, Inc.'s home office and

1 principal place of business is located in HsinChu Science Park, Hsin-Chu, Taiwan, R.O.C.

2 3. PixArt Imaging (U.S.A.), Inc. was incorporated in California on January 31, 2012.  
3 It currently has twelve (12) employees, including myself. As Office Manager, I oversee day-to-  
4 day operations of PixArt Imaging (U.S.A.), Inc., and I have knowledge of the business that is  
5 transacted at the Santa Clara office and by the employees of PixArt Imaging (U.S.A.), Inc.

6 4. I have read through the Deposition Subpoena and understand that Round Rock  
7 Research is seeking information from PixArt Imaging (U.S.A.), Inc. with respect to a certain  
8 image sensor, model number PAS6311LT. I am aware that PixArt Imaging Inc. designed and  
9 sells such a sensor. However, all design, manufacture, marketing and sales of that particular  
10 sensor was done by PixArt Imaging Inc. in Taiwan, with no assistance from this office. There are  
11 no documents or other information called for in the Deposition Subpoena in this office or within  
12 the possession, custody and control of PixArt Imaging (U.S.A.), Inc. pertaining to the  
13 PAS6311LT. Because the PAS6311LT was sold directly by PixArt Imaging Inc. to a third-party  
14 distributor or customer in Asia, and all servicing of that product is the responsibility of PixArt  
15 Imaging Inc., there is no need for PixArt Imaging (U.S.A.), Inc. to have any documents pertaining  
16 to the PAS6311LT in its possession, and no need for anyone at PixArt Imaging (U.S.A.), Inc. to  
17 access any information pertaining to that sensor.

18 5. Although PixArt Imaging (U.S.A.), Inc. is a subsidiary of PixArt Imaging Inc., it  
19 has no right to demand the production of documents from PixArt Imaging Inc. pertaining to the  
20 PAS6311LT. My understanding is that distribution of documents and information pertaining to  
21 PixArt image sensors generally and the PAS6311LT image sensor, in particular, is within the sole  
22 discretion of PixArt Imaging Inc.

23 I declare under penalty of perjury under the laws of the State of California that the  
24 foregoing is true and correct.

25 Executed on October 30, 2013 at Santa Clara, California.

26   
27 Brian Chou

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